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AUTHOR Chambers, M. M.
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ABSTRACT

There has been a trend in state government toward tighter and tighter centralization that, though done in the name of greater economy and efficiency, is in large part a reach for political power. Not all services of the state can be performed well if integrated into a single monolithic administrative pyramid with all other state services and functions, and this is especially true of public higher education. The university or college almost always has its legal corporate identity, and as a center of learning develops an integrity and morale of its own: it is a living organism. At the same time, most agree that some form of coordination is essential within the statewide system. In some states the desire for coordination has led to the creation of one statewide governing board. In other states coordinating boards were established with only advisory authority, while in other, boards with a semblance of coercive powers were created. For higher education, a style and technique of intercommunication and liaison, not of hierarchical control is called for. Some thought is also being given to applying centralization to the whole state educational system, including the junior colleges, the private institutions, and the pre- through high school system. This paper discusses some of the efforts in this direction and the pitfalls. (AF)

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M. M. Chambers
Dept of Ednl Administration
Illinois State University
Normal, Illinois 61761

For Iowa Coordinating Council for
Post High School Education
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TRENDS AMONG THE STATES IN GOVERNANCE AND COORDINATION OF HIGHER EDUCATION

All of us are familiar with the early distrust of the executive in American state governments. The early state constitutions gave the governor a short term, and made provision that the heads of the principal executive departments would be popularly elected and not appointed by him or subject to his direction.

Public confidence was in the legislature. As the need and demand for new public services expanded, the legislature would often appropriate the funds and stipulate that the particular service or function should be headed at the state level by a board or commission, largely independent of the governor.

In some instances the members of these commissions were popularly elected; in others they were appointed by the governor, usually with the advice and consent of the senate. Sometimes the appointees were to have long and "staggered" or overlapping terms, so it would be unlikely that any one governor would ever have opportunity to appoint a majority of the members. (However, when such a board or commission is newly created, the incumbent governor appoints the full membership, and thus has a chance to control the board if he is so inclined).

To make a long story short, by the early twentieth century the state governments in their executive branch had become quite complex and characterized by a good deal of diffusion of authority and responsibility. One extremist somewhere said the organization of the executive branch resembled "a

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twenty-mule team that had been harnessed and hitched up by a one-armed blind man in a thunderstorm at midnight."

There was some reason, then, for the great outcry for consolidation and symmetrical organization which arose, and has been heard in the land ever since. The theory was: "Make the governor the real captain of the ship of state; centralize power in his hands, and hold him responsible. Let him appoint to serve at his pleasure the heads of a small number of major executive departments which will embrace nearly all the state services. Let him have a department of finance which will include central pre-auditing of all disbursements, compulsory central purchasing, and many other tightly detailed central fiscal controls."

For more than half a century this aggrandizement of the governor has continued in differing degrees. State after state has doubled the length of his term. Almost all legislatures have enacted sweeping "administrative reorganization acts" for their respective states. Some have done this two or three times in succession. Each such act, regardless of its merits in administrative theory, almost unavoidably affords the incumbent governor and his political associates a grand opportunity to entrench themselves by means of a much-more-than-usual windfall of political patronage.

Meantime, at least until very recent years, legislatures have been in comparatively low esteem and the subject of much relative neglect. In more than half of the states they were allowed to convene in regular session only once every two years, for limited periods sometimes as short as sixty days. They have had only closely limited staff agencies for research and bill-drafting. They have generally had few <u>interim</u> committees sufficiently staffed and equipped to be effective. In many states the salaries of members of both houses have been ridiculously low. Most members have had little or no office space, or clerical help. Formerly some of them, while in the capital city, resided in cheap or even disreputable lodgings. A later tendency is for them to travel

inordinate distances over long week-ends, so that the work of the session is retarded.

Fortunately an upward trend in the relative role of legislatures is clearly visible. Within the past ten years a dozen states have changed from biennial sessions to annual regular sessions, and the duration of sessions is becoming longer. In some states the salaries of members have been brought up to approximate that of a full-time job, which service in a legislature has really come to be. More of them are being supplied with well-appointed offices and assistants. Some of the legislatures are modernizing their committee structures. A number of joint committees are expediting the work of both houses.

The rise in the effectiveness of legislatures is accompanied by a noticeable uptrend in the quality of their membership over recent decades. This in turn is due to a better-educated public. The same public should also now be able to look critically at the long trend toward administrative overcentralization. I submit two assertions:

(1) The best modern theory and practice in large-scale business management now favors decentralization, involving the loosening of rigid central controls and the delegation of wide discretion to divisions and departments, to avoid the well-known "apoplexy at the apex and paralysis at the periphery."

The continued push for tighter and tighter centralization in state government, in the name of "economy and efficiency" and of "scientific management" is in very large part a reach for political power. We need to remember that in a democratic society it is dangerous to concentrate political power in one man; and not to forget Lord Acton's blunt injunction: "Power corrupts, and absolute power corrupts absolutely."

(2) My second assertion is that not all services of the state can be performed well if integrated into a single monolithic administrative pyramid

with all other state services and functions. This is especially and uniquely true of public higher education.

There will probably never be any substitute for an intellectually lively academic community as a center of learning. This is, of course, supplemented by extension instruction in many places, and by so-called "open universities" granting so-called "external degrees," and by courses broadcast on radio and television. This is all to the good, but it is all secondary and supplementary to the institutions of higher education as we know them. It can enrich and expand their work, but it can not supplant it.

The university or college almost always legally has a corporate identity. Most of the private colleges are chartered by the state as nonprofit charitable corporations. Almost always the public university or college is chartered as a "body politic"; and this archaic wordage means that it is a public corporation. It has its own legal identity. It is not merely a division of the statehouse bureaucracy.

The simple principle underlying all this is that a center of learning develops an integrity and a morale and a spirit of its own which favors high intellectual effort, encourages initiative, and promotes originality, discovery and invention.

The academic community includes what an atomic scientist would call a "critical pile" of persons necessary to produce the firing of the intellects of many young persons: distinguished professors, brilliant young students, visiting lectures and artists, and an administrative staff devoted to careers of facilitating learning. It includes also some faculty and staff members who are no more than ordinary, and many students who are apparently not overly superior; but all these are touched by their proximity to the "critical pile," and the whole public benefits from their association with it, whether their

sojourn in academe is long or short, and whether they depart with or without a degree or diploma.

Organism; Not Mechanism

As thus pictured, the university or college is very much a living organism, developing and changing slowly to fit the needs and demands of its environment. If you accept that view, you will not see it as a cold mechanism put together with wrenches in such manner that a new program instantly full-blown can be attached to it from the outside, or any department can be unscrewed and thrown on the scrap-heap or taken away and attached to some other institution, without in the least impairing the operation of any of the mechanisms.

You will understand that an occurrence of that kind means a shock to a living organism, from which it will take considerable time to recover; that meantime its morale will be lowered and the detrimental effects may persist over many years. You will begin to doubt, perhaps, that any college or university, private or public, should stand amenable to instant mandatory orders from a statehouse administrative office that would fragment its organization or mutilate its programs. This has much to do with the means and methods of statewide coordination.

No one will question for a moment that any college or university should develop in appropriate liaison with the entire statewide higher educational scene. (The exception, perhaps, is the private college which draws all or a substantial proportion of its students from outside the state. Such a college is an economic asset to the state, but it does not figure very heavily in the state's educational planning.)

Everyone must be for "coordination," as everyone must be for home, mother, and apple pie. The word has about it a prudential sound of frugality and good use of resources. But it means markedly different things to different persons.

In every state you will readily find some to whom it means harsh legal compulsion-- a "knocking of heads together" by some statutory administrative agency authorized to issue mandatory orders to every public university or college in the state system. One way of carrying this to its logical extreme is to abolish all institutional governing boards and set up <u>one</u> statewide governing board not merely to coordinate, but to <u>govern</u> all the institutions.

So far as the state universities and colleges were concerned, South Dakota did that in 1896, Florida in 1906, Iowa in 1909. Between 1910 and 1920 Montana, Idaho, Kansas, and North Dakota did the same. During the 1930's this step was taken in Oregon, Georgia, Mississippi, and Rhode Island. Arizona took it in 1945, and New York in 1948. Then came more than twenty years during which this idea stood still. In 1969 it was adopted by Utah and West Virginia. The total is fifteen states. All but three are small states in population. The fifteen aggregate less than one-sixth of the national population.

A thumb-nail sketch of Iowa's experience through six decades would indicate that the central board (now the Board of Regents) adopted in the fall of 1912 a plan to fragment the three state institutions by such measures as placing all engineering at the state agricultural college at Ames, restricting the state teachers college to the training of rural and elementary school teachers and discontinuing all its courses in liberal arts and education above the sophomore level; and concentrating the education of all high school teachers and school administrators, as well as all courses in general science, liberal arts, and home economics, at the state university at Iowa City.

The board devised this plan without consulting the presidents and faculties, and ordered the changes printed in the catalogs of the three institutions. Within six months there was such a groundswell of objections from the public, the students, the alumni, and the members of the legislature, that the board

voted to rescind its own plan in its entirety on April 3, 1913.[1]

During the next half-century I believe it is fair to say that, by and large, the board simply allowed the three institutions to develop as new needs and opportunities arose, so that Iowa now has three state universities, each of which is in some respects among the best of its type in the nation. The board performed its prime function of appointing good presidents and listening to their proposals and requests, and otherwise generally acted with the restraint that befits a university governing body of laymen. Its history during the most recent ten years I do not detail here, but reserve for oral discussion.

Meantime after about 1940 the different scheme of leaving the institutional governing boards intact but placing at the state capital a coordinating council, commission, or board began to become attractive to other states after it was written into the Oklahoma state constitution.[2] This idea spread rapidly between 1950 and 1970, so that now some twenty-seven states have such an agency set up by statute. The first fact to note is that one-third of these coordinating boards are advisory bodies, having no legally coercive powers at all. This is true in some of the largest states that lead in public higher education, as in California, Pennsylvania, Michigan, Minnesota, and Washington, as well as a few others.

This type of advisory coordinating body, if committed to the flexible development of the statewide system and not to its restriction and harassment, and devoted to facilitating liaison and intercommunication among the institu-

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1/ Edward Rutkowski, "The Iowa Experiment with an Integrated System of Higher Education." Paper presented October 26, 1968, at Loyola University, Chicago, to the Midwest History of Education Society.

2/ Kentucky has had a coordinating board of sorts, now known as the Kentucky Council on Public Higher Education, since 1934. Oregon had a State Board of Higher Curricula as early as 1905.

tions, and industrious in collecting facts and disseminating public information about higher education, can perform public services that are indispensable in our day.

The somewhat similar coordinating bodies in a dozen other states all have some semblance of coercive powers, inserted in the statutes at the insistence of persons who profess to believe that such laws will have no effect unless they have "teeth" in them. These powers are generally in the form of authorization to define the "role and scope" of each institution, or of more or less ambiguous authorization to approve or disapprove proposed new departments or degree programs; but the real authority remains in the legislature, by virtue of its sole power to appropriate funds. The coordinating body always has instructions to examine the institutional budget askings and recommend a total statewide request for higher education, but this is only an advisory function. 3/

To some persons the coordinating bodies just described represent the most appropriate type of agency for their purposes. To other persons they are only a compromise way-station on the road to total centralization, which they hope to reach in the near future. For this reason, and on account of the inherent nature of bureaucratic organization, there is an unmistakable tendency for the coordinating agency to seek constantly to broaden its own powers, increase its staff, and aggrandize itself in every way possible. Its spokesmen will often declare loudly that the autonomy of the institutions must be pre-

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3/ Only one coordinating body-- the Oklahoma Board of Regents for Higher Education-- has exclusive authority to allocate all appropriated funds to the several institutions. In a few other states there is a tendency to appropriate comparatively small sums to the coordinating body as a "contingency reserve" to be allocated to the institutions later in the fiscal period when necessary.

served, while at the same time pleading for the enactment of state laws that decrease or destroy that autonomy.

The foregoing reasons argue in favor of the voluntary nonstatutory coordinating efforts which in former years attained much success in such states as California, Washington, Michigan, Minnesota, Missouri, Indiana, and others; but most of these now have created statutory coordinating bodies (nearly all advisory only), and there are indications this year that even Indiana will probably create such an agency.

After all, the type of structure that is set up is not all-important. Its performance depends very much on the quality of the persons who man it, and the spirit and style in which it operates. With this in mind, I have said elsewhere, "A style and technique of liaison and intercommunication-- not of hierarchical control-- is called for. This is appropriate to the nature of the higher educational enterprise. It is suited to conduce toward maximum educational productivity for each tax dollar invested. It is not too difficult a style for existing boards to adopt and develop." 4/

I find this position supported by John D. Millett, who has said, "There is no necessity in the academic community for that degree of precise coordination of effort which may be required in a large industrial organization or in a military force. The objective of higher education is realized in the minds and actions of individual students, as inspired by scholars and as influenced by the academic environment." 5/ A college or university is much more than a "knowledge factory" in which packages come out on conveyor-belts. It is a civilizer of men and women whose thoughts and actions will affect directly the progress of humanity for half a century, and less directly, forever.

4/ Page 22 in Higher Education in the Fifty States, by M. M. Chambers. Danville: Illinois, 1970: Interstate Printers and Publishers, Inc., 453 pp. $10.

5/ Quoted from John D. Millett on page 20, Ibid.

The Whole Scope of Education

The idea of centralization or coordination, as you know, was at first concentrated on the four-year state colleges and universities. Some attention is now being given to applying it to the whole state educational system. This encompasses within its orbit:

(1) The numerous two-year public institutions variously styled junior colleges, community colleges, technical institutes, and area vocational-technical schools; and other post high school instructional programs of two years or less.

(2) The private universities, colleges, and junior colleges; and post high school occupational schools, either nonprofit or proprietary.

(3) The pre-school, elementary and secondary school system of the state.

The Public Two-Year Colleges

We can observe a few trends. First, as to the junior colleges, the state's agency in their development was usually a bureau in the state department of public instruction, as it is in Iowa today. There has been a considerable tendency to create a new state board for junior colleges. In one instance it is made largely independent of any other state educational agency. In some states it is regarded as an appendage of the state department of public instruction, and in others it reports to the statewide corrdinating agency for higher education.

Virginia is the state in which the state junior college board is not a part of any other state educational agency. It also has such sweeping powers over the establishment and operation of all public junior colleges that it is practically a consolidated governing board. California and Texas are states in which state junior college boards have been created and placed within the jurisdiction of the statewide coordinating council or commission for higher

education. Florida and Tennessee are states in which state leadership of junior colleges is directly exercised by the state department of public instruction, as it is in Iowa and some other states. Whether and how soon a semblance of uniformity of structure in the various states will be reached, and, indeed, whether it needs to be reached, is an open question. I will mention only a few factors that impinge upon it:

(1) In matters of federal financial aid for vocational instruction, the federal government is accustomed to dealing through state departments of public instruction or some agency closely adjunct to them.

(2) Students, teachers, administrators and the local constituencies of junior colleges prefer to be regarded as a part of higher education. The dividing line is at graduation from high school, and there is wide popular recognition that all formal instruction above the high school is a form of "higher education." At first junior colleges were generally established and governed by local school districts, but now they are generally governed by districts created for junior college purposes only; and in some instances as state institutions on the same basis as four-year colleges and universities.

(3) In several states there are distinctly separate networks of junior colleges and area vocational-technical schools, standing apart from each other and located in different centers of population. Many thoughtful persons hope that eventually all these schools will somehow develop into <u>comprehensive</u> junior colleges, having (a) the liberal arts program, (b) the vocational-technical program, and (c) the adult cultural and occupational programs, all on the same campus and under the same general administration, with students in all programs recognized as "college students" without invidious distinctions.

In view of these and other factors, I am not prepared to recommend any one particular form of structure at the state level for this segment of educa-

tion. It is important that the diverse types of instruction at this level should become available, as nearly and as rapidly as possible, within commuting-distance from the homes of all citizens of the state. This is the first priority, whatever the state-level structure may be. If the current structure, whatever it may be, is fully committed to that priority, and will move effectively to accomplish it, probably no immediate disturbance of the structure is desirable.

The Private Universities and Colleges

It sounds indisputable that the private colleges should be given full consideration in the ongoing development of any scheme of statewide coordination. There are, however, important limitations on this idea that need to be mentioned. Three-fourths of all students above high school in the nation are now in public institutions; and in most states except a few in the Northeast, the proportion is even higher than that. From the years 1930 to 1950 the ratio was about 50-50. So it turns out that at least half of the college men and women now in positions of influence in all walks of life today are likely to be graduates of private colleges from twenty to forty years ago. Many of these persons have an idealized belief that higher education today should be very much like it was in a private college of their day.

They are appalled at the great size and diversity of the big state universities. They underestimate the importance of graduate instruction and research. They think too many people are in college, and that the states, even with the aid of the federal government, simply can not afford to support such a large and growing higher educational enterprise. Now the sad part is that many of these influential persons tend to be somewhat suspicious and distrustful of the supporters and administrators of public higher education. These suspicions, though groundless, are sometimes shared by governors and legislators;

and in setting up coordinating councils and commissions for public universities and colleges, in some instances care has been taken to exclude strictly or limit severely the representation of the public institutions themselves, while filling the memberships with graduates and former students of private colleges of many years ago. The very peculiar result in some instances is that we have plans for the restriction and harassment of the state universities and colleges made by a state board on which private colleges are heavily overrepresented.

This influence also tends to prevail in state legislatures, and helps to account for the recent rapid growth of state scholarship systems set up in a manner such that roughly 80 per cent, and in some cases all, of the money appropriated goes to students in private colleges. It helps to account for some of the pressure in state legislatures toward the headlong raising of student fees in state universities and colleges. It helps to account for the large direct appropriations of state tax funds to private colleges in New York State which was begun in 1969.

Let me not create an impression that I am hostile to private colleges. I am not. I advocate that Congress should make annual institutional grants, to be used at the discretion of the institution to pay a fraction of its regular operating expenses; such grants to go to every accredited institution in the nation, private or public, with proprietary schools excluded.

Such a plan was proposed in 1967 by two professors at the University of Wisconsin, 6/ and several of the great nationwide associations in higher edu-

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6/ William H. Young and Robert Taylor, An Opportunity for a Major American Advance Through Higher Education. Madison: University of Wisconsin, 1967. 32 pp. litho.

cation are on record as favoring it.[1/] Some members of Congress support it. My guess would be that it will eventually be enacted; but how soon, no one can say.

Not many of the states will ever make direct appropriations to private colleges. Most of the state constitutions prohibit it, and in many states public opinion will not support it. But the Congress, in command of three-fourths of all the revenues collected annually at all levels of government, is able to do it. To pay one-fourth of the regular educational and general expenses of every accredited college in 1973 might require perhaps $4 billion-- roughly equal to what we have been spending annually for economic and military aid to foreign countries, or perhaps 7 per cent of what we have been spending in Viet Nam alone.

Lastly, none of our states has any tradition of detailed control over reputable private colleges. In theory they are required to meet state-set standards, but in practice they have always been given practically total autonomy in the management of their financial and academic affairs; and this is as it should be. It is incredible that the state should order a reputable private college to add a program of instruction, or to abolish one. They are a part of the statewide totality of higher education, but they are not to be bent to fit the system, except on their own initiative and of their own volition. Why, then, should they be overrepresented on a coordinating body for the statewide system?

From Kindergarten to Graduate School

There is on foot a new movement toward accomplishing ongoing study of all education in the state, from pre-school and kindergarten through graduate

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1/ These include the Association of American Colleges; the National Association of State Universities and Land-Grant Colleges; the American Association of State Colleges and Universities.

school, private and public. For many years the Board of Regents of the University of the State of New York, otherwise known as the State Board of Education, has had this function.

In 1963 the New Constitution of Michigan created a State Board of Education and designated it as a coordinating body for education at all levels; but the same Constitution bestows constitutional autonomy on each of the state universities and colleges, and this would seem to guarantee that the coordinating function can be no more than advisory, as it should be, with regard to higher education.

Oregon has felt the need of some body having a broader purview than that of its State Board of Higher Education, or its State Board of Education, or its private colleges; and the state has created by statute an over-all coordinating body, representative of all major educational interests, with the duty of making continuing studies and recommendations.

In 1969 Rhode Island, moving like a bull in a china shop, created a new Board of Regents for Education and empowered it to abolish or redefine the duties of both the State Board of Education and the Board of Trustees of State Colleges, making the new Regents in fact a centralized governing board for all education at all levels. This has apparently led to much confusion, uncertainty, and loss of morale, extending over many months.

Iowa's voluntary Coordinating Council for Post High School Education stands in very favorable contrast to the coercive meat-cleaver approach that the Rhode Island statute represents. I am strongly inclined to believe Iowa needs no additional coordinating agency. If,however, it is desired that the Coordinating Council be given a statutory base, this could be done, using the Council's own statement of its properly limited functions: "(1) to gather data, (2) to make studies, (3) to receive information, and (4) to make recommendations."

The stated duties are substantially the same (but in fewer words) as the statement of responsibilities of the proposed Advisory Commission for System-Wide Coordination and Planning in Education. I am of the opinion that the needed purposes would be well served if the name, structure, and duties of the present voluntary Coordinating Council were written into the statutes, if a statutory base is regarded as desirable.

I find myself in disagreement with the Governor's Educational Advisory Committee in its recommendation that the coordinating body be composed entirely of lay members appointed by the governor. The all-lay board might be suitable for the governance function, but not for the function of making advisory reports and recommendations. This structure places too low a value on the available expertise of university presidents, experienced governing board members, and other representatives of the operating institutions and subsystems within the statewide system. It is quite wrong determinedly to assume that these persons are not able to place the interests of the entire public above those of their own special concerns.

I say the foregoing in the face of the fact that in some states there has been a recent trend toward decreasing the proportion of professional persons and institutional representatives. This trend has been largely due to two factors, neither of which is commendable:

(1) In some instances it has obviously been pushed through a compliant legislature by a governor in order to increase his own influence in the coordinating body.

(2) In other instances it has been pushed through by persons who want to move by any means possible toward total centralization, and accordingly express chronic dissatisfaction with a coordinating board and constantly expect it to accomplish drastic changes which no such body should undertake.

Governors have hundreds of appointments to make. They can not escape political and partisan considerations. They are not in position carefully to select the members of a statewide coordinating body for education, especially if limited to laymen unconnected with any institution or subsystem.

I do not say a coordinating body should not have a lay component. This brings to mind another apparently incipient trend. The 1969 legislature of North Carolina added six of its own members to the State Board of Higher Education, which at that time consisted of fifteen members-- 8 laymen and 7 representatives of institutions and subsystems. The six members added were the chairmen of the separate senate and house committees on Appropriations, Finance, and Higher Education. The governor was also added as chairman, which is bad from almost any standpoint.

The representation of appropriate legislative leaders on a statutory coordinating body for education may have much to commend it. It is in the legislature that final decisions for each fiscal period are made, in the form of appropriation acts which designate to what extent the institutions, subsystems, and other programs will be supported by state tax funds. Legislative leaders must somehow become informed. Why not let them become informed by serving on the statewide coordinating body and having a hand in its studies and recommendations?

Elsewhere I have suggested the desirability of avoiding the accretion of a new bureaucratic echelon in the executive branch, by involving leading legislators in studies of statewide educational coordination.[8/] This would tend to shorten the ever-lengthening chain of communication between the educational systems and the legislature. It would recognize the rising status of the

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8/ Pages 186-187 in Higher Education: Who Pays? Who Gains? by M. M. Chambers. Danville, Illinois: Interstate Printers and Publishers, Inc., 1968. 302 pp. $6.95

legislative branch in comparison with the overcentralized executive, and perhaps reduce the distance between the legislative and educational functions of the state.